REMARKS

By the present amendment, Claims 1 and 16 have been amended. Claims 1, 2 and 4-28 are pending in the application, with Claims 1, 10, 16 and 22 being independent claims. Claims 1, 2, 4-6, 9-12, 15-18, 21-25 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Skelly (U.S. Patent No. 6,064,383) in view of newly cited Watanabe (U.S. Patent No. 6,539,240 B1). Claims 7, 8, 13, 14, 19, 20, and 26, 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Skelly in view of Watanabe and Evans (U.S. Patent Application Publication No. 2004/0002325 A1).

Claim 1 has been amended for clarity to recite, in part, storing as part of a short message the emoticon selected by [[a]] the user, and Claim 16 has been amended for clarity to recite, in part, transmitting an SMS a short message including the at least one emoticon selected by a user.

The Examiner concedes that Skelly fails to disclose storing as part of a short message the emoticon selected by a user, and states that Watanabe teaches storing as part of a short message the emoticon selected by a user in FIGs. 2-6, col. 6, lines 11-61, and col. 7, line 55 to col. 8, line 61. The Examiner asserts that it would have been obvious to apply the teaching of Watanabe to Skelly.

Skelly describes a method and system for selecting an emotional appearance prosody for a graphical character. Watanabe describes a data communication apparatus, a data communication method, and a storage medium storing a computer program for data communication. Evans describes a mobile handset with a browser application to be used to recognize textual presentation.

Claim 1 recites, in part, an emoticon input method in a mobile terminal, including creating, by a user, at least one emoticon formed by utilizing a plurality of typical characters and special characters in combination; storing the at least one formed emoticon in the mobile terminal; entering an emoticon input mode; displaying the stored emoticons in an emoticon input

mode; selecting a created and stored emoticon; and storing as part of a short message the emoticon selected by the user. Independent Claims 10, 16 and 22 include similar recitations.

Skelly discloses emoticons, which in and of themselves are known in the art. Skelly does not teach storing an emoticon after it is formed. In Skelly, the Examiner relies on FIGs. 2, 3A, 10, col. 1, lines 43-65, col. 2, lines 35-45, and col. 4, line 7, to col. 5, line 11, for satisfying all recitations of Claim 1 except for the recitation regarding storing as part of a short message the emoticon selected by the user.

Skelly explains in col. 4, lines 51-53, that a user moves a position indicator 48 to determine the appearance for a character. Skelly nowhere suggests creating an emoticon by utilizing a plurality of typical characters and special characters in combination, and nowhere suggests entering an emoticon input mode.

The Examiner merely relies on Watanabe for teaching storing as part of a short message the emoticon selected by a user. Evans only stores graphics but does not teach forming emoticons. Watanabe and Evans fail to supplement the deficiencies of Skelly.
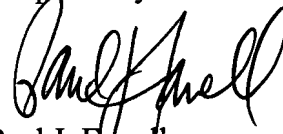
More particularly, Skelly, Watanabe, Evans, or any combination thereof, fails to teach or reasonably suggest an emoticon input method in a mobile terminal, including creating, by a user, at least one emoticon formed by utilizing a plurality of typical characters and special characters in combination; storing the at least one formed emoticon in the mobile terminal; entering an emoticon input mode; displaying the stored emoticons in an emoticon input mode; selecting a created and stored emoticon; and storing as part of a short message the emoticon selected by the user, as recited in Claim 1. Skelly, Watanabe, Evans, or any combination thereof, also fails to teach or reasonably suggest similar recitations in independent Claims 10, 16 and 22.

Accordingly, independent Claims 1, 10, 16 and 22 are allowable over Skelly, Watanabe, Evans, or any combination thereof.

While not conceding the patentability of the dependent claims, *per se*, we believe Claims 2, 4-9, 11-15, 17-21 and 23-28 are allowable for at least the above reasons.

Accordingly, all of the claims pending in the Application, namely, Claims 1, 2 and 4-28, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

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